

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

May 13, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF#10MD-046

Maui

Issuance of Revocable Permit to Jeanine Thomason (Event Manager) for The Maui Film Festival at Wailea 2010 Event, at Wailea Beach, Maui, Hawaii: Tax Map Key:(2) 2-1-008: seaward of 109.

APPLICANT:

Ms. Jeanine Thomason (Event Manager) whose mailing address is P.O. Box 1364 Vancouver, WA 98666.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Wailea, Maui identified by Tax Map Key: (2) 2-1-008: seaward of 109, as shown on the attached map labeled Exhibit A.

AREA:

1,440 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State constitution: YES _____ NO x

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Film Projection and Viewing

TERM:

This is a Five-day event starting from June 16, 2010 through June 20, 2010. Including set up times, it will run from 4:00 p.m. to 12:00 a.m. nightly.

RENTAL:

Payment of \$720.00 rental fee. (Rental fee based on \$.10 per square foot per day; 1,440 square feet x \$.10 per square foot = \$144.00 per day x 5 days = \$720.00).

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 4, that exempts activities which involve "Minor alteration in the conditions of land, water, or vegetation." Staff consulted the Office of Conservation and Coastal lands and was advised that they had no objection to the proposed activities due to the temporary and minimally intrusive nature of the activities.

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>x</u>	NO	<u> </u>
Registered business name confirmed:	YES	<u>x</u>	NO	<u> </u>
Applicant in good standing confirmed:	YES	<u>x</u>	NO	<u> </u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for these types of beach activities (film projection and viewing) in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition should be in form of a revocable permit.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from government or community agencies.

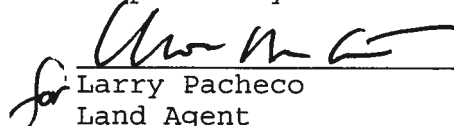
Ms. Jeanine Thomason is requesting a right-of-entry permit for The Maui Film Festival at Wailea, to utilize a portion of Wailea Beach for a five-day film-viewing event. The event will include the setting up of a large viewing screen and a 15'x 15' projection tent, within an 18' wide x 80' in length (1,440 sq. ft) area for exclusive use on Wailea beach. There will be no seating or placement of chairs within the subject area. The event is scheduled for June 16, 2010, through June 20, 2010. Daily set up will start at approximately 4:00 p.m. and the event will take place from 8:00 p.m. until 12:00 a.m.

There are no other pertinent issues or concerns. Staff has no objections to this request.

RECOMMENDATION: That the Board:

1. Authorize the issuance of a revocable permit to Jeanine Thomason (Event Manager) for the annual Maui Film Festival at Wailea, covering the subject area for film viewing purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


for Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thiele, Chairperson

An aerial photograph of the Wailea Beach area in Maui, Hawaii. The image shows the coastline on the left, with Wailea Beach and the ocean. To the right of the beach are several resort areas. Labels with yellow lines pointing to specific locations are present: 'Grand Wailea Resort (2) 2-1-008:109' points to a large resort complex; 'Wailea Beach' points to the sandy beach area; 'Event Location Screen & Projection Tent' points to a small blue square marker on the beach; and 'Four Seasons Resort (2) 2-1-023:007' points to a resort complex further inland. The map also shows various roads, parking lots, and other buildings.

Grand Wailea Resort
(2) 2-1-008:109

Wailea Beach

Event Location
Screen & Projection Tent

Four Seasons Resort
(2) 2-1-023:007

Exhibit (A)